IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 1943 OF 2007
(Mukund Padmakar Aloni .v. State of Maharashtra and others)

Office Notes, Office Memoranda of Coram appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

Shri R.R. Deshpande, Advocate for the petitioner.
Shri D.B. Patel, AGP for the respondent Nos.1,2 and 4.

CORAM : R.V. MORE, J.
14TH DECEMBER, 2007

Heard the learned Counsel appearing on behalf of the respective parties.

By the order dated 13th April, 2007, the respondent No.2/Tahsildar declared the petitioner's land admeasuring about 35.50 acres as excess land under Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961. There is no dispute that the petitioner has challenged this order before the respondent No.4/Commissioner by way of filing an appeal.

The appeal is filed on 20th April, 2007. The petitioner has also filed Civil Application in aforesaid appeal for stay to the order passed by the respondent No.2/Tahsildar mentioned herein above. The said application is not decided so far by the respondent No.4/

Commissioner. Therefore, the petitioner was constrained to approach this Court under Article 226 and 227 of the Constitution of India.

After hearing both the parties, I am of the view that the petition can conveniently be disposed of by directing the respondent No.4/Commissioner to decide the application for stay filed in aforesaid appeal by the petitioner on 20.04.2007, which is at page 33 of the petition.

The respondent No.4/Commissioner is directed to dispose of the application for stay filed by the petitioner in aforesaid appeal on 20.04.2007, as expeditiously as possible and within a period of four weeks from the date of receipt of this order. In the meanwhile, interim relief granted by this Court vide order dated 27th April, 2007 shall remain in force.

Petition stands disposed of accordingly with no order as to costs.

JUDGE

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